

Application Serial No.: 10/632,003  
Attorney Docket No.: 0260256

**List of Claims:**

Claims 1-47 (Cancelled)

48. (Currently Amended) A method of obtaining ~~a first~~ media assets by a user device over a network, the method comprising:

receiving an asset list, including information about ~~a plurality of~~ the media assets, over the network;

storing the asset list, including the information about the ~~plurality of~~ media assets, in a memory;

sending a request to a remote server for a delivery of the ~~first~~ media assets to the user device over the network, wherein the request is based on a selection of ~~the first~~ media assets from the asset list based on the information about the plurality of media assets stored in the memory;

~~receiving the delivery of~~ downloading the ~~first~~ media assets ~~[[at]]~~ to the user device, periodically, ~~based on~~ only when one or more ~~download timing~~ constraints, managed by the user device, ~~being~~ are met, wherein the one or more constraints include at least one of a usage level of the user device, a usage level of the network and a service quality level of the network; and

providing an uninterrupted and continuous stream of the ~~first~~ media assets for viewing by a user without requiring a real-time buffering.

49. (Previously Presented) The method of claim 48, wherein the selection is made by the user.

50. (Currently Amended) The method of claim 48, wherein the one or more ~~download timing constraints includes~~ include a bandwidth availability of the network.

Application Serial No.: 10/632,003  
Attorney Docket No.: 0260256

51. (Cancelled)

52. (Currently Amended) The method of claim 48, wherein the one or more ~~download~~  
~~timing constraints includes~~ include an assured quality of service.

53. (Currently Amended) The method of claim 48, wherein the one or more ~~download~~  
~~timing constraints includes~~ include the user device being idle.

54. (Currently Amended) The method of claim 48, wherein the one or more ~~download~~  
~~timing constraints includes~~ include a level of activity of the network.

55. (Currently Amended) The method of claim 48, wherein the one or more ~~download~~  
~~timing constraints includes~~ include a level of memory usage of the user device.

56. (Currently Amended) The method of claim 48, wherein the one or more ~~download~~  
~~timing constraints includes~~ include a level of CPU usage of the user device.

57. (Currently Amended) A method of delivering a ~~first~~ media assets selected from an  
asset list supplied to a user device over a network, the asset list including information about a  
~~plurality of the~~ media assets, the method comprising:

receiving a request, based on the information, for a delivery of the ~~first~~ media assets to  
the user device; and

delivering the ~~first~~ media assets to the user device periodically ~~based on~~ only when one  
or more ~~download timing~~ constraints, managed by the user device, ~~being are~~ are met, wherein the  
one or more constraints include at least one of a usage level of the user device, a usage level of  
the network and a service quality level of the network;

Application Serial No.: 10/632,003  
Attorney Docket No.: 0260256

whereby the ~~first~~ media assets can be made viewable by the a user device to a user by providing an uninterrupted and continuous stream of the ~~first~~ media assets without requiring a real-time buffering.

58. (Currently Amended) The method of claim 57, wherein the one or more ~~download~~ timing constraints ~~includes~~ include a bandwidth availability of the network.

59. (Cancelled)

60. (Currently Amended) The method of claim 57, wherein the one or more ~~download~~ timing constraints ~~includes~~ include an assured quality of service.

61. (Currently Amended) The method of claim 57, wherein the one or more ~~download~~ timing constraints ~~includes~~ include the user device being idle.

62. (Currently Amended) The method of claim 57, wherein the one or more ~~download~~ timing constraints ~~includes~~ include a level of activity of the network.

63. (Currently Amended) The method of claim 57, wherein the one or more ~~download~~ timing constraints ~~includes~~ include a level of memory usage of the user device.

64. (Currently Amended) The method of claim 57, wherein the one or more ~~download~~ timing constraints ~~includes~~ include a level of CPU usage of the user device.

65. (Currently Amended) A user device for obtaining a ~~first~~ media assets over a network and displaying the ~~first~~ media assets to a user, the user device comprising:

a memory; and

a CPU configured to

receive an asset list, including information about a ~~plurality of the~~ media assets, over the network;

Application Serial No.: 10/632,003  
Attorney Docket No.: 0260256

store the asset list, including the information about the ~~plurality of media~~ assets, in the memory;

send a request to a remote server for a delivery of the ~~first media assets~~ to the user device over the network, wherein the request is based on a selection of the ~~first media assets~~ from the asset list based on the information about the ~~plurality of media assets~~ stored in the memory;

~~receive the delivery of~~ download the ~~first media assets~~ ~~[[at]]~~ to the user device, periodically, ~~based on~~ only when one or more ~~download timing~~ constraints, managed by the user device, ~~being are met, wherein the one or more~~ constraints include at least one of a usage level of the user device, a usage level of the network and a service quality level of the network; and

provide an uninterrupted and continuous stream of the ~~first media assets~~ for viewing by a user without requiring a real-time buffering.

66. (Previously Presented) The user device of claim 65, wherein the selection is made by the user.

67. (Currently Amended) The user device of claim 65, wherein the one or more ~~download timing constraints includes~~ include a bandwidth availability of the network.

68. (Cancelled)

69. (Currently Amended) The user device of claim 65, wherein the one or more ~~download timing constraints includes~~ include an assured quality of service.

70. (Currently Amended) The user device of claim 65, wherein the one or more ~~download timing constraints includes~~ include the user device being idle.

Application Serial No.: 10/632,003  
Attorney Docket No.: 0260256

71. (Currently Amended) The user device of claim 65, wherein the one or more ~~download-timing constraints includes~~ include a level of activity of the network.

72. (Currently Amended) The user device of claim 65, wherein the one or more ~~download-timing constraints includes~~ include a level of the memory usage.

73. (Currently Amended) The user device of claim 65, wherein the one or more ~~download-timing constraints includes~~ include a level of the CPU usage.